

**Iowa Department of Education
Bureau of Nutrition, Health and Transportation Services**

**SUSPENSION/TERMINATION APPEAL PROCEDURES
Child and Adult Care Food Program (CACFP) Institutions**

Your institution has received a letter suspending your participation in the CACFP (reimbursement for claims submitted have been stopped) and proposing to terminate your CACFP participation. The letter you received described the reason for the suspension and proposed termination (either serious health or safety violations, or false/fraudulent claims). You may appeal this decision. The appeal procedures under CACFP are as follows:

1. Submit a request for appeal within 15 days of the date on the letter suspending and proposing to terminate your institution by filing with the Iowa Department of Education ("Department") a Notice of Appeal in the form of an affidavit, clearly stating the adverse decision being appealed and the date of decision.
 - a. "Form of an affidavit" means that a notary public must witness your signature and sign the Notice of Appeal OR that you include the following statement with your signature: "I certify under penalty of perjury and pursuant to the laws of the state of Iowa that the preceding is true and correct."
 - b. The Notice of Appeal shall be considered timely if it is postmarked within the 15 day period, or hand-delivered or sent by facsimile transmission (see address and number below) within the 15 days.
2. The Department shall notify the parties affected by the appeal of the hearing date and location at least ten (10) days prior to the hearing, unless the parties consent otherwise.
3. If your institution loses the appeal, CACFP payments will remain suspended and your agreement will be terminated effective the date of the hearing official's decision.
4. If your institution wins the appeal, CACFP payments resume effective the date of the hearing official's decision. The institution can claim for eligible meals and allowable administrative costs, if applicable, incurred during suspension. The institution's agreement will not be terminated.
5. All appeals must be addressed to:

Director
Iowa Department of Education
Grimes State Office Building 2nd Floor
400 E 14th St, Des Moines, IA 50319-0146
Fax: 515-281-4122
6. Questions about the appeal process may be addressed to:

Administrative Assistant to the Hearing Officer
(Same address as Director)
Phone: 515-281-5295